

HAIKU DESIGN & ANALYSIS

4234 Hana Hwy., Haiku, HI., 96708
(808) 572-2519

October 10, 2009

To the Honorable Chairman and Members of
The Hawaii Public Utilities Commission
465 South King Street Room #103
Honolulu, Hawaii 96813

FILED
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PUBLIC UTILITIES
COMMISSION

Subject: Docket No. 2008-0273
Feed-in Tariff Investigation

Notice Regarding Stipulated Procedural Schedule

Carl Freedman, dba Haiku Design & Analysis (HDA) is unable to stipulate to the draft procedural schedules proposed and being discussed by the other parties in this docket as of Saturday morning, October 10, 2009, in the final hour before HDA must mail its filing.¹ HDA is also unable to assemble and file a timely alternative proposed order as directed by the Commission. HDA is therefore unable to comply with the Commission's most recent decision and order in this docket.

In its Decision and Order in this docket dated September 25, 2009 (D&O), the Commission directed the parties in this docket to submit, within fourteen days, a stipulated procedural schedule or, if a party is unable to stipulate, to file a proposed order (D&O, p. 100). The Commission also directed the parties to submit any proposals regarding the means and timeline for completion of reliability standards (D&O, p.50) and queuing and interconnection procedures (D&O, p. 94).

A draft stipulated procedural schedule was proposed to the parties by HECO and the Consumer Advocate on October 8, 2009. On October 8 and 9, HDA reviewed several draft proposed schedules and participated in discussions with the other parties in this docket regarding HECO's proposed schedule and alternative schedules. HDA is not able to stipulate to any of the drafts in their present form at the time HDA must submit a response to the Commission.

Because HDA is not able to comply with the D&O on this matter, HDA fully defers to the Commission regarding resolution of any and all matters regarding the procedural schedule in this docket. HDA also respectfully requests to be excused for failure to comply with the D&O in this instance in light of HDA's efforts to reach agreement, the very short time

¹ HDA is located on the Island of Maui and files documents with the Commission by first class mail having no affordable practical alternative to deliver hard copy documents to the Commission. This letter is being mailed by first class mail on Saturday morning October 10, 2009 with hopes that it is delivered to the Commission by the October 12 deadline for filing a stipulated procedural schedule.

between the initial proposed schedules and the filing deadline and the fact that, in this case, HDA has other pressing work commitments.

This letter is being served today by electronic transmission to all parties on the service list in this docket and two copies are being served today by first class mail to the Division of Consumer Advocacy at the address on the service list in this docket.

Respectfully submitted,

Dated: October 10, 2009; Haiku, Hawaii

Signed: 
Carl Freedman
dba Haiku Design and Analysis